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UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
ALEXANDRIA DIVISION

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KOTEI ASHALLEY (A#205-133-779)

DOCKET NO. 14-cv-148; SEC. P

VERSUS

JUDGE DEE D. DRELL

ERIC HOLDER

MAGISTRATE JUDGE JAMES D. KIRK

REPORT AND RECOMMENDATION

Before the Court is a petition for writ of *habeas corpus* (28 U.S.C. §2241) filed by pro se Petitioner Kotei Ashalley. Petitioner was an immigration detainee in the custody of the Department of Homeland Security/Bureau of Immigration and Customs Enforcement (DHS/ICE). He was being detained at the Lasalle Detention Center in Trout, Louisiana. On March 24, 2014, Petitioner updated his address with the Court to Etowah County Jail in Gadsden, Alabama. Petitioner challenged his continued detention pending removal.

Petitioner is a native and citizen of Ghana. He states that he entered the United States unlawfully on November 27, 2010, and became subject to a final order of removal on October 20, 2012. [Doc. #1] Petitioner claims that he has been in custody for a period on excess of six months awaiting removal from the United States.

According to the DHE/ICE detainee locator system, Petitioner is no longer in the custody of the Department of Homeland Security/Bureau of Immigration and Customs Enforcement (DHS/ICE),

which renders Ashalley's Petition for Writ of Habeas Corpus moot.

For the foregoing reasons, **IT IS RECOMMENDED** that Ashalley's habeas petition be **DISMISSED AS MOOT**.

Under the provisions of 28 U.S.C. §636(b)(1)(c) and Fed.R.Civ.P. 72(b), the parties have fourteen (14) calendar days from service of this Report and Recommendation to file specific, written objections with the clerk of court. No other briefs or responses (such as supplemental objections, reply briefs etc.) may be filed. Providing a courtesy copy of the objection to the magistrate judge is neither required nor encouraged. Timely objections will be considered by the district judge before he makes his final ruling.

FAILURE TO FILE WRITTEN OBJECTIONS TO THE PROPOSED FINDINGS, CONCLUSIONS, AND RECOMMENDATIONS CONTAINED IN THIS REPORT WITHIN FOURTEEN (14) CALENDAR DAYS FROM THE DATE OF ITS SERVICE SHALL BAR AN AGGRIEVED PARTY, EXCEPT UPON GROUNDS OF PLAIN ERROR, FROM ATTACKING ON APPEAL THE FACTUAL FINDINGS AND LEGAL CONCLUSIONS ACCEPTED BY THE DISTRICT JUDGE TO WHICH THE PARTY DID NOT OBJECT.

THUS DONE AND SIGNED at Alexandria, Louisiana, this 14th day of April, 2014.



JAMES D. KIRK
UNITED STATES MAGISTRATE JUDGE